



Atty. Dkt. No. 084335-0134
Appl. Ser. No. 09/806,462

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Koji KIGAWA et al.
Title: METHOD FOR PREPARING
HIGH PERFORMANCE RECA-
LIKE RECOMBINASE/SINGLE-
STRANDED NUCLEIC ACID
PROBE COMPLEX AND
UTILIZATION THEREOF

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|---|
| CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below. <u>Chris Escavaille</u> (Printed Name) <u>Chris Escavaille</u> (Signature) <u>October 8, 2003</u> (Date of Deposit) |
|---|

Appl. No.: 09/806,462

Filing Date: 03/22/2002

Examiner: Strzelecka, Teresa E.

Art Unit: 1637

AMENDMENT TRANSMITTAL

Mail Stop NON-FEE AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

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Sir:

Transmitted herewith is an amendment in response to the Restriction Requirement dated September 15, 2003, in the above-identified application.

[] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

[X] The fee required for additional claims is calculated below:

| | Claims As Amended | | Previously Paid For | | Extra Claims Present | | Rate | | Additional Claims Fee |
|---|-------------------------|--------------------------|------------------------|---|----------------------------|---|----------|---|--------------------------|
| Total Claims: | 21 | <input type="checkbox"/> | 21 | = | 0 | x | \$18.00 | = | \$0.00 |
| Independents: | 3 | <input type="checkbox"/> | 3 | = | 0 | x | \$86.00 | = | \$0.00 |
| First presentation of any Multiple Dependent Claims: | | | | | | + | \$290.00 | = | \$0.00 |
| CLAIMS FEE TOTAL: | | | | | | | | | = \$0.00 |

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

| | | | |
|--------------------------|---|------------|--------|
| <input type="checkbox"/> | Extension for response filed within the first month: | \$110.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the second month: | \$420.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the third month: | \$950.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fourth month: | \$1,480.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fifth month: | \$2,010.00 | \$0.00 |
| | EXTENSION FEE TOTAL: | | \$0.00 |
| <input type="checkbox"/> | Statutory Disclaimer Fee under 37 C.F.R. 1.20(d): | \$110.00 | \$0.00 |
| | CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL: | | \$0.00 |
| <input type="checkbox"/> | Small Entity Fees Apply (subtract ½ of above): | | \$0.00 |
| | TOTAL FEE: | | \$0.00 |

- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

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Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

10/8/03

By

M. Scott McBride

FOLEY & LARDNER
777 East Wisconsin Avenue, Suite 3800
Milwaukee, Wisconsin 53202-5306
Telephone: (414) 297-5529
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M. Scott McBride
Attorney for Applicant
Registration No. 52,008



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|---|

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop NON-FEE AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

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Sir:

In response to the Restriction Requirement set forth in the Office Action mailed September 15, 2003, Applicant hereby provisionally elects Group I, including Claims 1-9, 13, 14, and 17 for examination. Applicant reserves the right to pursue the claims in Groups II - V in subsequent continuations or divisions.

Respectfully submitted,

Date 10/8/03

By M. Scott McBride

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